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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA; and,
11 NINE NAMED FEDERAL EMPLOYEES,

12 Plaintiff,

CIV. NO. S- 04-1263 FCD GGH PS

13 vs.

14 WILLIAM J. BIGGS and BETTY BIGGS,

15 Defendants. /

ORDER

16 The government's motion for summary judgment presently is calendared for
17 hearing on February 8, 2007. Having reviewed the record, the court has determined that oral
18 argument would not be of material assistance in determining the pending motion. Accordingly,
19 the court will not entertain oral argument, and will determine the motion on the record, including
20 the briefing in support of and in opposition to the pending motion. See E.D. Cal. L.R. 78-230(h).

21 Because the pending motion may not be decided before the currently set pretrial
22 and trial dates of March 8, 2007 and June 5, 2007, those dates will be vacated pending a district
23 court decision on the motions. New dates will be set, if necessary, after the motions are decided.

24 Accordingly, IT IS ORDERED that:

25 1. February 8, 2007 hearing on the motion for summary judgment, filed October
26 27, 2006, is vacated.

1 2. The motion is submitted on the record.

2 3. The pretrial conference, scheduled for March 8, 2007, is vacated.

3 4. The trial date, set for June 5, 2007, is vacated.

4 DATED: 2/2/07

5 /s/ Gregory G. Hollows

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GREGORY G. HOLLOWS
U. S. MAGISTRATE JUDGE

7 GGH:076:USBiggs1263.vac.wpd